

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
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DATE FILED: 1/21/2020

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BRIAN K. SCARANTINO,

Plaintiff,

-against-

WINSTON O. BRANCHE MORA and PRO-  
TEK OF NEW YORK, INC.,

Defendants.  
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1:19-cv-10117-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

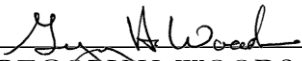
On November 5, 2019, the Court scheduled an initial pretrial conference in this matter for November 20, 2019. Dkt No. 4. Mr. Goldin of Goldin & Rivlin, PLLC was counsel of record for Plaintiff from November 5, 2019 through the date of scheduled initial pretrial conference on November 20, 2019. Mr. Goldin did not attend the scheduled conference, and the conference could not go forward because Mr. Goldin was not in attendance, even though counsel for Defendants and the Court were present. Dkt No. 11. Mr. Goldin did not provide any justification for his failure to appear. The Court issued an order to show cause why it should not impose sanctions on Mr. Rivlin for his failure to appear on November 22, 2019. *See id.* The deadline for Mr. Goldin to show cause was November 27, 2019. *Id.* Mr. Goldin has not submitted a response to the Court's order to date. Accordingly, the Court will sanction Mr. Goldin for his failure to appear. *See Fed. R. Civ. P. 16(f)(A)* ("On motion or on its own, the court may issue any just orders . . . if a party or its attorney: fails to appear at a scheduling or other pretrial conference[.]").

The Court will impose sanctions in the amount that Defendants spent in direct costs and legal fees to attend the initially scheduled pretrial conference. Defendants are directed to submit an

affidavit attesting to their direct costs and legal fees in attending that conference.

SO ORDERED.

Dated: January 21, 2020  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge